



City Council Agenda

Council President
Brad Castillo

Councilmembers

Tom Boyajian
Brian Calhoun
Mike Dages

Jerry Duncan
Henry T. Perea, Acting President
Cynthia Sterling

City Manager
Daniel G. Hobbs

City Clerk
Rebecca E. Klisch , CMC

City Attorney
Hilda Cantú Montoy

The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Requests for additional accommodations for the disabled, signers, assistive listening devices, or translators should be made one week prior to the meeting. Please call City Clerk's Office at 621-7650

The City Council welcomes you to this meeting.

TUESDAY, JANUARY 13, 2004

If you would like to speak, fill out a speaker request form available from the City Clerk's Office and in the Council Chambers. The agenda is available on www.ci.fresno.ca.us The Council meeting can also be heard live at the same web site address.

8:30 A.M. - ROLL CALL

Invocation by Reverend David Finster of the First Congregational Church

Pledge of Allegiance to the Flag

Proclamation of "ANGEL ARELLANO DAY" - Councilmember Sterling

Special presentation to Ned Doffoney, Ed.D., for the African American Historical and Cultural Museum in honor of Martin Luther King, Jr. Day - Councilmember Duncan

January 13, 2004 **ITEM SUBJECT TO MAYOR'S VETO OR RECONSIDERATION*

Council action on unscheduled items, if any, shall be limited to referring the item to staff for a report and possible scheduling on a future Council agenda. For each matter considered by the Council, there will first be a staff presentation, followed by a presentation from the project applicant. Testimony from those in attendance will then be taken. All testimony given will be limited to three minutes per person. Public testimony will not be taken on unscheduled/non-action items.

The three lights on the podium next to the microphone will indicate the amount of time remaining for the speaker. The green light will be turned on when the speaker begins. The yellow light will come on with one minute remaining and one tone will sound. The speaker should be completing the testimony by the time the red light comes on and two tones sound, indicating that time has expired.

Approve minutes of January 6, 2004

Action Taken:

Councilmember Reports and Comments

Action Taken:

Approve Agenda

Action Taken:

Adopt Consent Calendar

Action Taken:

1. **GENERAL CONSENT CALENDAR**

(All consent calendar items are considered to be routine and will be treated as one agenda item. The Consent Calendar will be enacted by one motion. Public comment on the Consent Calendar is limited to three (3) minutes per speaker. There will be no separate discussion of these items unless requested by a Councilmember, in which event the item will be removed from the Consent Calendar and will be considered at 2:00 p.m.

- A. * Award a contract to Spiniello Companies of Fairfield, New Jersey, for reclamation pipeline rehabilitation at the Fresno/Clovis Regional Wastewater Reclamation Facility - General Services Dept.

Action Taken:

- B. * Approve Concession Agreement between the City and Airport Network Solutions (ANS) to provide wireless network services at Fresno Yosemite International Airport - Airports Department

Action Taken:

January 13, 2004 ****ITEM SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

1.

GENERAL CONSENT CALENDAR CONTINUED

- C. **RESOLUTION** - Of Intention to annex Tract No. 5098 as Annexation No. 60 to the Community Facilities District No. 2, and to authorize the levy of special taxes - Public Works Dept.
Action Taken:
- D. **RESOLUTION** - Of Intention to annex Tract No. 4598 as Annexation No. 61 to the Community Facilities District No. 2, and to authorize the levy of special taxes - Public Works Dept
Action Taken:
- E. **RESOLUTION** - Of Intention to annex Tract No. 5189 as Annexation No. 62 to the Community Facilities District No. 2, and to authorize the levy of special taxes - Public Works Dept
Action Taken:
- F. Approve the disposition of approximately 1.3 acres of land near Florence and Delno Avenues to the Housing Assistance Corporation - Public Works Dept.
Action Taken:
- G. **RESOLUTION** - Approving Opticom-3M as the specific brand for emergency vehicle traffic signal preemption system equipment - Public Works Dept.
Action Taken:
- H. * Approve Professional Services Agreement with RRM Design Group for design of the Lewis S. Eaton Trail Enhancements Project, Friant Road segment - Public Works Dept.
Action Taken:
- I. **RESOLUTION** - Approving the Final Revised Housing Element of the 2025 Fresno General Plan, incorporating revisions as recommended by the State of California Department of Housing and Community Development - Planning and Development Dept.
Action Taken:
- J. * **RESOLUTION** - Approving the transfer of \$30,000 for the duties of the Council President and Executive Analyst to the Council District 4 Budget from the Council Support Budget - Budget & Mgmt. Studies Division
Action Taken:
1. * **RESOLUTION** - 3rd amendment to PAR No. 2003-210 to reallocate the Executive Analyst position from the Council District 1 to the Council District 4 Office
Action Taken:

January 13, 2004

****ITEM SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

TIME SCHEDULED HEARINGS AND MATTERS

8:45 A.M.

JOINT CLOSED SESSION WITH THE REDEVELOPMENT AGENCY

A. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Government Code Section 54956.9, Subdivision (a)

1. **Case Name:** Redevelopment Agency of the City of Fresno v. Robert L. Edwards, Fresno Superior Court Case No. 03CECG00433

Action Taken:

9:00 A.M.

JOINT MEETING WITH THE REDEVELOPMENT AGENCY

Approve Agency minutes of January 6, 2004

Action Taken:

A. **AGENCY GENERAL CONSENT CALENDAR**

1. Award a contract to Emmett's Excavation, Inc. of Clovis, California, for reconstruction of Walnut Avenue between California and Florence Avenues (**Agency Action**)

Action Taken:

2. Award a contract to Lee Crippen Excavation of Fresno for the demolition of buildings in E. McKenzie Avenue, N. Valeria Street, and N. Thesta Street (**Agency Action**)

Action Taken:

- B. HEARING** and consideration of the following actions relating to proposed agreement and escrow instructions for transfer and development of real property (2.05 Acres), located at the southwest corners of Ventura and "O" Streets (1.25 Acres) and Santa Clara and "O" Streets (0.8 Acres), to State of California for development of a three-story, 60,000 square foot courthouse and parking lot for the 5th District Court of Appeal in Phase I of the proposed Old Armenian Town Development, within the Convention Center Redevelopment Project Area (**Council and Agency Action**)

Action Taken:

1. **RESOLUTION** - Approving agreement between the Redevelopment Agency and State of California for transfer of real property (2.05 acres) to the State for development of a three-story, 60,000 square-foot courthouse on 1.25 acres located on the southwest corner of Ventura and "O" Streets and a parking lot on 0.8 acres located on the southwest corner of Santa Clara and "O" Streets (**Council and Agency Action**)

Action Taken:

2. Authorize the Executive Director or the Redevelopment Administrator, on approval of the Office of the City Attorney, to execute the agreement and other documents, including without limitation escrow instructions and grant deeds, and take other actions necessary to convey the real property to the State of California, subject to the purchase price, deed restrictions, and other terms contained in the agreement, and to otherwise finalize or carry out the provisions of the agreement (**Council and Agency Action**)

Action Taken:

ADJOURN AGENCY

January 13, 2004 *ITEM SUBJECT TO MAYOR'S VETO OR RECONSIDERATION

TIME SCHEDULED HEARINGS AND MATTERS CONTINUED

10:00 A.M. CONTINUED HEARING (from 12-9-03) to consider Rezone Application No. R-03-21, and environmental findings, filed by LATCO Enterprises, pertaining to a 17.7-acre parcel of land located on the northwesterly side of N. Figarden Drive, between N. Santa Fe and W. Sierra Avenues - Planning and Development Dept. **(Continue to 1/27/04 @ 10:15 a.m.)**

Action Taken:

1. Consider and adopt the Mitigated Negative Declaration for Environmental Assessment No. R-03-21/C-03-67

Action Taken:

2. **BILL** - Amending the Official Zone Map to rezone a 4.5-acre portion of the 17.7 acre subject site from the R-2/UGM/BA-15-20/UGM/cz (Low Density Multiple-Family Residential/ Boulevard Area with 15-20 feet of landscaping/Urban Growth Management/conditions of zoning) zone district to R-2/UGM/BA-15-20/UGM (Low Density Multiple Family Residential/Boulevard Area with 15-20 feet of landscaping/Urban Growth Management) zone district **(Property located in District 2)**

Action Taken:

10:15 A.M. CONTINUED HEARING regarding Community Facilities District No. 2, Annexation No. 59 (Final Tract Map No. 5135) - Public Works Dept.

Action Taken:

- a. **RESOLUTION** - Annexing territory to Community Facilities District No. 2, Annexation No. 59 and authorizing the levy of a special tax

Action Taken:

- b. **RESOLUTION** - Calling a special mailed-ballot election

Action Taken:

- c. **RESOLUTION** - Declaring election results

Action Taken:

- d. * **BILL** - Levying a special tax for the property tax year 2003-2004 and future tax years within and relating to Community Facilities District No. 2, Annexation No. 59, Final Tract Map No. 5135

Action Taken:

10:20 A.M. RESOLUTION - In support of Operation Brotherhood of the Badge and authorizing the City Manager to transfer certain Police Department personal property deemed nonserviceable to aid in the mission of the operation - Councilmember Dages

Action Taken:

2:00 P.M. #1 **CONTESTED CONSENT ITEMS**

CLOSED SESSION

A. PUBLIC EMPLOYEE PERFORMANCE EVALUATION - Government Code Section 54957

1. **TITLE:** City Attorney

Action Taken:

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TIME SCHEDULED HEARINGS AND MATTERS CONTINUED

CLOSED SESSION CONTINUED

- B. **CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION** - Government Code Section 54956.9, Subdivision (b)

Significant Exposure to Litigation:

1. **Case Name:** Olga Salazar v. City of Fresno
Action Taken:

- C. **CONFERENCE WITH LEGAL COUNSEL - DECIDING WHETHER TO INITIATE LITIGATION** - Government Code Section 54956.9, Subdivision (c)

1. **Case Name:** City of Fresno v. Archie Crippen, et al.
2. **Case Name:** City of Fresno v. Mauldin-Dorfmeier Construction, Inc.
Action Taken:

- 2:45 P.M. **WORKSHOP** regarding Chaffee Zoo Strategic Planning Study and Report - Parks, Recreation, and Community Services Dept. - **(Council Chambers)**

Action Taken:

- A. Receive and discuss the Chaffee Zoo Strategic Planning Study prepared by Schultz and Williams, Inc.
Action Taken:
- B. Receive and discuss report from the Rafiki Partners on a proposal to form a public-private partnership for the development and operation of the Chaffee Zoo, including giving direction to staff on entering into a professional services contract with Rafiki Partners to conduct an operational audit and master plan, including recommended capital and operational program for Chaffee Zoo and Roeding Park - Councilmember Duncan
Action Taken:
- C. Discuss alternatives for emergency funding to maintain the Chaffee Zoo's accreditation to include utilizing a portion of the excess sales tax being generated in this year's budget which is currently over and above the City budget's projected growth rate - Councilmember Calhoun
Action Taken:
- D. Direct the Chaffee Zoo Advisory Committee to convene and return to the Council in 90 days with a status report - City Manager's Office
Action Taken:

- 4:30 P.M. Introduction of the newly selected AmeriCorps volunteers - Fresno Citizen Corps

2. **GENERAL ADMINISTRATION**

3. **CITY COUNCIL**

- A. Direct staff to develop and present to Council within 120 days an infrastructure needs assessment to include objectively identifying in detail what the infrastructure maintenance needs will be for the City of Fresno until the year 2025 - Councilmember Duncan
Action Taken:

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4. **PUBLIC COMMENT PERIOD - No Council action except to place on future agenda.
Presentation limited to three (3) minutes.**

A. Scheduled Public Comment -

1. Appearance by Tomas Casas Acosta, Sr. to discuss and request approval for the City of Fresno restaurants and other businesses to accept bus riders reimbursement of \$1.00 on their bill

B. **UNSCHEDULED COMMUNICATION** - Members of the public may address the Council regarding items that are not listed on the agenda and within the subject matter jurisdiction of the Council. Each person is limited to a three (3) minute presentation. Anyone wishing to be placed on an agenda for a specified topic should contact the City Clerk Department at least 10 days prior to the desired date.

SCHEDULED COUNCIL HEARINGS AND MATTERS

Jan. 20 - **NO MEETING - MARTIN LUTHER KING, JR. DAY**

Jan. 27 - 10:00 A.M. **HEARING** re: Rezone Appl. No. R-03-66, filed by Concord Construction Company

Jan. 27 - 10:15 A.M. **CONTINUED HEARING** to consider Rezone Application No. R-03-21, and environmental findings, filed by LATCO Enterprises, pertaining to a 17.7-acre parcel of land located on the northwesterly side of N. Figarden Drive, between N. Santa Fe and W. Sierra Avenues - Planning and Development Dept

Jan. 27 - 11:00 A.M. Proposal for the creation of a Tower District Assessment District - Councilmembers Boyajian and Sterling

Jan. 27 - 2:15 P.M. **WORKSHOP** re: Community Sanitation reorganization and Operation Clean-Up - Dept. of Public Utilities - **Meeting Room "A" - 2165N**

Feb. 3 - 10:00 A.M. **HEARING** re: formation of UUD No. FRE-83 (Cedar/Shaw) - Public Works

Feb. 3 - 2:15 P.M. **WORKSHOP** re: Medical plans and Health & Welfare Trust - Personnel Dept. - **Meeting Room "A" - 2165N**

Feb. 3 - 3:00 P.M. **WORKSHOP** re: Air Cargo - Transportation Dept. - **Meeting Room "A" - 2165N**

Feb. 10 - 10:10 A.M. **HEARING** to consider Plan Amendment No. A-01-15 and Rezone Application No. R-01-18, filed by Bob Kammen, et al.

Feb. 10 - 3:00 P.M. **WORKSHOP** re: Urban reforestation - Public Works Dept. - **Meeting Room "A" - 2165N**

Feb. 17 - **NO MEETING - PRESIDENT'S DAY**

Feb. 24 - 10:00 A.M. **HEARING** re: Community Facilities District No. 2, Annexation No. 60, Final Tract Map No. 5098

Feb. 24 - 10:05 A.M. **HEARING** re: Community Facilities District No. 2, Annexation No. 61, Final Tract Map No. 4598

Feb. 24 - 10:10 A.M. **HEARING** re: Community Facilities District No. 2, Annexation No. 62, Final Tract Map No. 5189

Mar. 2 - **NO MEETING ELECTION DAY (TENTATIVE)**

Mar. 9 - 10:00 A.M. **HEARING** re: Community Facilities District No. 2, Annexation No. 63, Final Tract Map No. 5173

Mar. 9 - 10:05 A.M. **HEARING** re: Community Facilities District No. 2, Annexation No. 64, Final Tract Map No. 5148

Mar. 9 - 10:10 A.M. **HEARING** re: Community Facilities District No. 2, Annexation No. 65, Final Tract Map No. 5127

Mar. 9 - 10:15 A.M. **HEARING** re: Community Facilities District No. 2, Annexation No. 66, Final Tract Map No. 5206

Mar. 23 - **NO MEETING**

Apr. 13 - **NO MEETING - EASTER WEEK**

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UPCOMING WORKSHOPS

Jan.	27 -	2:15 P.M.	Community Sanitation reorganization and Operation Clean-Up
Feb.	3 -	2:15 P.M.	Medical plans and Health & Welfare Trust
Feb.	3 -	3:00 P.M.	Air Cargo
Feb.	10 -	3:00 P.M.	Urban reforestation

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